

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA

RICHARD SCOTT McINTOSH,)	
)	
Petitioner,)	
)	
v.)	Case No. CIV-16-1063-D
)	
WARDEN FOX,)	
)	
Respondent.)	

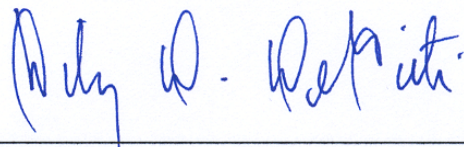
ORDER TRANSFERRING CASE

This matter is before the Court for review of the Report and Recommendation [Doc. No. 5] issued by United States Magistrate Judge Suzanne Mitchell pursuant to 28 U.S.C. § 636(b). Judge Mitchell recommends a transfer of this habeas action under 28 U.S.C. § 2254 to the United States District Court for the Eastern District of Oklahoma.

Petitioner has made no timely response to the Report and, thus, has waived further review of the transfer issue. *See Moore v. United States*, 950 F.2d 656, 659 (10th Cir. 1991) (failure to object waives review of factual and legal issues). Accordingly, the Court adopts the Report and Recommendation [Doc. No. 5] in its entirety.

IT IS THEREFORE ORDERED that this action is transferred to the United States District Court for the Eastern District of Oklahoma.

IT IS SO ORDERED this 21st day of October, 2016.



TIMOTHY D. DEGIUSTI
UNITED STATES DISTRICT JUDGE